

accommodation to participate in the hearing should be made at least five working days in advance of the hearing by calling 785-296-3401.

A summary of the proposed regulations, the revocations, and their estimated economic impact follow.

**K.A.R. 22-6-5, K.A.R. 22-6-12, K.A.R. 22-6-16, K.A.R. 22-6-20, K.A.R. 22-6-24, and K.A.R. 22-6-25** reorganize and update the nationally recognized fire codes adopted and enforced by the Office of the State Fire Marshal pursuant to K.S.A. 31-133 and 31-506 as well as create a second fireworks season for pre-sales of fireworks, for example by charitable entities.

**Economic Impact Statement:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the agency, other agencies, small businesses, or the public.

**K.A.R. 22-8-10** removed the license fees for liquefied petroleum gas (propane) licenses.

**Economic Impact Statement:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the agency, other agencies, small businesses, or the public.

**K.A.R. 22-11-8 and K.A.R. 22-18-3** repeal regulations no longer required by the agency.

**Economic Impact Statement:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the agency, other agencies, small businesses, or the public.

**K.A.R. 22-19-5** creates a new reporting requirement for Certified Fire Investigators when investigating a fire that has caused a death.

**Economic Impact Statement:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the agency, other agencies, small businesses, or the public.

**K.A.R. 22-24-1, K.A.R. 22-24-2, K.A.R. 22-24-3, K.A.R. 22-24-4, K.A.R. 22-24-5, K.A.R. 22-24-6, K.A.R. 22-24-7, K.A.R. 22-24-8, K.A.R. 22-24-9, K.A.R. 22-24-10, K.A.R. 22-24-11, K.A.R. 22-24-12, K.A.R. 22-24-13, K.A.R. 22-24-15, K.A.R. 22-24-16, K.A.R. 22-24-17, and K.A.R. 22-24-18** reorganize and update the regulations governing the regional hazardous materials response team program.

**Economic Impact Statement:** The proposed amendments are not anticipated to have any appreciable negative economic impact on the agency, other agencies, small businesses, or the public.

Copies of the complete texts of the regulations and their respective economic impact statements may be obtained by writing the State Fire Marshal at the address above, electronically on the agency's website at <http://firemarshal.ks.gov>, or by calling 785-296-3401.

Doug Jorgensen  
State Fire Marshal

Doc. No. 045750

## State of Kansas

### Department of Labor

#### Permanent Administrative Regulations

#### Article 55.—AMUSEMENT RIDE REGULATIONS

**49-55-1. Applicability.** Unless exempted by the act, this article of the department's regulations shall apply to all amusement rides, as defined in K.S.A. 2016 Supp. 44-1601 and amendments thereto, within the state. (Authorized by and implementing K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-2. Definitions.** (a) "Act" means the Kansas amusement ride act and amendments thereto.

(b) "Amusement ride records" means the following:

(1) The current certification of an inspector's qualifications to inspect amusement rides;

(2) the current certificate of inspection signed by a qualified inspector;

(3) the current results of nondestructive testing;

(4) each amusement ride manufacturer's operational manual;

(5) each amusement ride manufacturer's nondestructive testing recommendations;

(6) each amusement ride manufacturer's inspection guidelines; and

(7) the records required to be maintained in accordance with K.S.A. 2016 Supp. 44-1603, and amendments thereto.

(c) "Permanent amusement ride" means an amusement ride, as defined in K.S.A. 2016 Supp. 44-1601 and amendments thereto, that is permanently affixed to the real estate where the amusement ride is operated. A permanent amusement ride is not capable of being transported from one location to another without significant physical alteration of the location and the amusement ride.

(d) "Reasonable period of time to comply with the provisions of K.S.A. 2016 Supp. 44-1601 et seq., and amendments thereto, and K.S.A. 40-4801 et seq., and amendments thereto" means 30 days after publication of the regulations adopted by the secretary pursuant to K.S.A. 2016 Supp. 44-1614(b), and amendments thereto.

(e) "Temporary amusement ride" means an amusement ride, as defined in K.S.A. 2016 Supp. 44-1601 and amendments thereto, that is movable from location to location without significant physical alteration of the location and the amusement ride. (Authorized by and implementing K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-3.** (Authorized by K.S.A. 2009 Supp. 44-1614; implementing K.S.A. 2009 Supp. 44-1602; effective May 28, 2010; revoked, T-49-6-27-17, July 1, 2017; revoked Oct. 13, 2017.)

**49-55-4. Permit application; certificate of inspection.** Each application for a permit shall include the following:

(a) The name of the owner and operator of the amusement ride;

(b) the location of the amusement ride or the location where the amusement ride is stored when not in use;

(c) proof of insurance;  
 (d) certification that the amusement ride meets the applicable standards of the American society for testing and materials (ASTM) international F24 committee; and  
 (e) a copy of a valid certificate of inspection for that amusement ride. Each certificate of inspection shall provide an expiration date. (Authorized by K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; implementing K.S.A. 2016 Supp. 44-1602, as amended by 2017 H Sub for SB 86, sec. 7, and 2017 H Sub for SB 86, sec. 1; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-5.** (Authorized by L. 2009, ch. 71, sec. 3 and K.S.A. 2008 Supp. 44-1602; implementing K.S.A. 2008 Supp. 44-1604; effective May 28, 2010; revoked, T-49-6-27-17, July 1, 2017; revoked Oct. 13, 2017.)

**49-55-6. Record retention.** The owner of each amusement ride shall retain all amusement ride records for a period of three years, which shall be grouped according to amusement ride. The owner shall retain all amusement ride records at the location of the amusement ride's operation. The records shall be accessible upon request by the department in accordance with K.S.A. 2016 Supp. 44-1603 and amendments thereto, each person who contracts with the owner for the amusement ride's operation, and each operator. (Authorized by K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; implementing K.S.A. 2016 Supp. 44-1603, as amended by 2017 H Sub for SB 86, sec. 8, and K.S.A. 2016 Supp. 44-1605; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-8. Procedure for selection of an amusement ride for compliance audit.** (a) Amusement rides shall be randomly selected each quarter by the department for compliance audit by location. Random selection for compliance audit shall include selecting amusement rides from a list of amusement rides that have been issued a valid permit by the department and amusement rides that are identified on location reports submitted to the department in accordance with K.A.R. 49-55-10.

(b) A compliance audit may also be conducted for amusement rides that are determined to be in need of a compliance audit by the secretary or the secretary's designee. (Authorized by K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; implementing K.S.A. 2016 Supp. 44-1602, as amended by 2017 H Sub for SB 86, sec. 7; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-11. Submitting reports and other documents; notification of death.** (a) Except as provided in subsection (b), each report and any other document required by these regulations or the act shall be submitted to the department's director of industrial safety and health by mail, facsimile, hand delivery, or electronic mail.

(b) For each serious injury that results in the death of a patron, notification by the owner shall be made initially by telephone, with a written notification sent within 24 hours after the initial notification. (Authorized by and implementing K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-12. Violations; reporting violations to the attorney general, county attorney, or district attorney.** (a) Each notice of violation issued by the department for a violation of the act or these regulations shall specify the following:

- (1) The nature of the violation;
- (2) the facts supporting the determination that a violation took place; and
- (3) specification of the action that the owner shall take to comply with the act or these regulations.

(b) Each notice of violation shall be reported by the department to the attorney general, county attorney, or district attorney. (Authorized by K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; implementing K.S.A. 2016 Supp. 44-1610, as amended by 2017 H Sub for SB 86, sec. 11, and K.S.A. 2016 Supp. 44-1611; effective May 28, 2010; amended, T-49-6-27-17, July 1, 2017; amended Oct. 13, 2017.)

**49-55-13. Nationally recognized organizations that issue certificates or other evidence of qualification to inspect amusement rides.** The nationally recognized organizations that issue certifications or other evidence of qualification to inspect amusement rides and that require education, experience, and training at least equivalent to that required for a level II certification from NAARSO as of July 1, 2017, shall include the following:

- (a) The national association of amusement ride safety officials (NAARSO), for level II certification;
- (b) the amusement industry manufacturers and suppliers international (AIMS), for level II certification;
- (c) the association for challenge course technology (ACCT), for qualified inspector certification; and
- (d) Pennsylvania department of agriculture, for general qualified inspector status. (Authorized by and implementing K.S.A. 2016 Supp. 44-1614, as amended by 2017 H Sub for SB 86, sec. 13; effective, T-49-6-27-17, July 1, 2017; effective Oct. 13, 2017.)

Lana Gordon  
Secretary

Doc. No. 45740

## State of Kansas

### Board of Healing Arts

#### Temporary Administrative Regulations

#### Article 76.—ACUPUNCTURISTS

**100-76-1. Fees.** (a) The following fees shall be collected by the board:

- |   |           |
|---|-----------|
| (1) Application for license .....       | \$ 165.00 |
| (2) Annual renewal of active license:   |           |
| (A) Paper renewal .....                 | \$ 150.00 |
| (B) On-line renewal .....               | \$ 125.00 |
| (3) Annual renewal of inactive license: |           |
| (A) Paper renewal .....                 | \$ 125.00 |
| (B) On-line renewal .....               | \$ 100.00 |
| (4) Annual renewal of exempt license:   |           |
| (A) Paper renewal .....                 | \$ 125.00 |
| (B) On-line renewal .....               | \$ 100.00 |

(continued)